Docket No. 2024580-7039313001 (04-0004 US04)



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	) Group Art Unit: 3736
Brian D. Zelickson, et al.	) Confirmation No.: 7509
Serial No.: 10/633,820	) Examiner: John Lacyk
Filed: August 4, 2003	)
For: DEVICE AND METHOD FOR TREATMENT OF GASTROESOPHAGEAL REFLUX DISEASE	) ) )

## AMENDMENT TRANSMITTAL

Mail Stop Amendment Commissioner for Patents Alexandria, VA 22313-14500

Sir,

Transmitted herewith is an Amendment and response to Office Action (7 pages) for the above-identified application.

Respectfully submitted, BINGHAM McCUTCHEN LLP

Dated:

12-17-04

By:

David T. Burse Reg. No. 37,104

BINGHAM McCUTCHEN LLP Three Embarcadero, Suite 1800 San Francisco, CA 94111-4067 (650) 849-4906

CERTIFICATE OF MAILING (37 C.F.R. §1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposit with the Unites States Postal Services on the date shown below with sufficient postage as "First Class Mail" to addressee in an envelope addressed to the Commissioner for Patents, Alexandria VA 22313-1450

Maritza D. Kidd

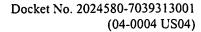
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## AMENDMENT AND RESPONSE TO OFFICE ACTION

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed October 1, 2004, please amend the application in accordance with the following amendment sheet(s).